
SENATE BILL No. 282

AM028204 has been incorporated into introduced printing.

Synopsis: Family services to prevent truancy.

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2024

IN 282—LS 6915/DI 148



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Introduced

Second Regular Session of the 123rd General Assembly (2024)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2023 Regular Session of the General Assembly.

SENATE BILL No. 282

A BILL FOR AN ACT to amend the Indiana Code concerning education.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 20-18-2-26.5 IS ADDED TO THE INDIANA
2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2024]: **Sec. 26.5. "Truancy prevention**
4 **measure" means an action designed to:**
5 **(1) address truancy before a child becomes a habitual truant;**
6 **and**
7 **(2) minimize the need for:**
8 **(A) referrals to a voluntary truancy prevention**
9 **program; or**
10 **(B) reports to a juvenile court.**
11 SECTION 2. IC 20-33-2-39, AS ADDED BY P.L.1-2005,
12 SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
13 JULY 1, 2024]: **Sec. 39. An attendance officer has the following duties:**
14 **(1) To serve subject to the rules, direction, and control of the**
15 **superintendent in the attendance officer's attendance district.**

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(2) To maintain an office at a place designated by the superintendent.

(3) To be on duty during school hours and at other times as the superintendent may request.

(4) To keep records and make reports as required by the state board.

(5) To visit the homes of children who are absent from school or who are reported to be in need of books, clothing, or parental care.

(6) Whenever the superintendent directs or approves it, to bring suit to enforce any provision of this chapter that is being violated.

(7) To serve written notice on any parent whose child is out of school illegally.

(8) To visit factories where children are employed.

(9) To implement the truancy prevention measures required under IC 20-33-2.5.

(10) To meet at least one (1) time each year with the department of child services and the intake officer for the juvenile court to discuss the effectiveness of truancy prevention measures adopted in the attendance officer's jurisdiction.

(11) To meet at least one (1) time each year with the state attendance officer to:

(A) review data, policies, and procedures; and

(B) discuss recommending to the legislative council under section 43 of this chapter legislation to deter absenteeism and to promote school attendance.

The meeting with the state attendance officer may be conducted in person, virtually, or both.

~~(9)~~ **(12) To perform other duties necessary for complete enforcement of this chapter and IC 20-33-2.5.**

SECTION 3. IC 20-33-2-42, AS AMENDED BY P.L.43-2021, SECTION 110, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 42. The secretary of education shall:

(1) prescribe duties for the state attendance officer not provided by law;

(2) design and require use of a system of attendance reports, records, and forms necessary for the enforcement of this chapter;

~~and~~

(3) establish guidance regarding truancy prevention policies



adopted by governing authorities in accordance with
IC 20-33-2.5; and

~~(3)~~ (4) perform all other duties necessary for the complete
enforcement of this chapter.

SECTION 4. IC 20-33-2-43, AS AMENDED BY P.L.43-2021,
SECTION 111, IS AMENDED TO READ AS FOLLOWS
[EFFECTIVE JULY 1, 2024]: Sec. 43. (a) The secretary of education
shall appoint a state attendance officer. The state attendance officer
serves at the pleasure of the secretary of education and may be removed
by the secretary of education at any time.

(b) The state attendance officer shall:

- (1) exercise general supervision over the attendance officers of
Indiana;
- (2) visit the various attendance districts throughout Indiana;
- (3) inspect the work of the attendance officers; and
- (4) investigate the manner in which this chapter is being
enforced.

(c) The state attendance officer may initiate court action whenever
necessary for the enforcement of this chapter.

(d) The state attendance officer shall meet at least one (1) time
each year with all attendance officers to:

- (1) review data, policies, and procedures; and
- (2) discuss recommending to the legislative council legislation
to deter absenteeism and to promote school attendance.

(e) Not later than November 1 of each year, the state
attendance officer shall submit a report to the legislative council
containing recommended legislation based on the state attendance
officer's discussions with attendance officers under subsection (d)
and section 39 of this chapter. A report required by this subsection
must be submitted in an electronic format under IC 5-14-6.

SECTION 5. IC 20-33-2.5 IS ADDED TO THE INDIANA CODE
AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
JULY 1, 2024]:

Chapter 2.5. Truancy Prevention Policy

**Sec. 1. As used in this chapter, "absent student" means a
student who:**

- (1) is enrolled in a school in kindergarten through grade 6;
and
- (2) is absent from school five (5) days within a ten (10) week
period without being:
 - (A) excused; or
 - (B) absent under a parental request that has been filed



1 with the school.

2 **Sec. 2. As used in this chapter, "governing authority" refers to**
3 **the:**

- 4 (1) governing body of a school corporation;
5 (2) organizer of a charter school; or
6 (3) equivalent authority of a governing body as described in
7 subdivision (1) for a nonpublic school that has at least one (1)
8 employee.

9 **Sec. 3. As used in this chapter, "school" refers to the following:**
10 (1) A public school, including a charter school.

11 (2) A nonpublic school that has at least one (1) employee.

12 **Sec. 4. A governing authority of a school corporation or school**
13 **shall adopt a truancy prevention policy regarding absent students**
14 **that includes the following:**

15 (1) A school shall immediately provide written notification to
16 the parent of an absent student that includes the following
17 information:

18 (A) That the student is an absent student based on the
19 student's school attendance.

20 (B) That the parent is responsible for:

21 (i) monitoring the absent student's school
22 attendance; and

23 (ii) ensuring the absent student attends school in
24 accordance with compulsory attendance laws.

25 (C) That the school will be initiating truancy prevention
26 measures regarding the absent student.

27 (D) That the parent is required to attend an attendance
28 conference regarding the truancy prevention measures
29 that the school will be implementing for the absent
30 student.

31 (E) That, if the student meets the requirements of a
32 habitual truant, the:

33 (i) superintendent or attendance officer of the
34 school is required to report the student to an intake
35 officer of the juvenile court or the department of
36 child services in accordance with IC 20-33-2-25;

37 (ii) juvenile court may determine that the student is
38 committing a delinquent act as provided under
39 IC 31-37-2-3; and

40 (iii) parent of the student may be subject to
41 prosecution under IC 35-46-1-4.

42 (2) A school shall hold an attendance conference with the



1 following individuals to discuss the student's absences and
 2 establish a plan for the student to prevent future absences:

3 (A) A representative of the school.

4 (B) A teacher of the student.

5 (C) The student's parent.

6 (3) A school shall establish a plan under subdivision (2) that
 7 includes the following:

8 (A) Any wrap around services that are able to be
 9 provided to the absent student to ensure the absent
 10 student attends school.

11 (B) A specific description of the behavior that is
 12 required or prohibited for the absent student.

13 (C) The period for which the plan will be effective, not
 14 to exceed forty-five (45) instructional days after the date
 15 the plan is established.

16 (D) Any additional disciplinary action the school will
 17 take if the absent student does not comply with the plan.

18 (E) If applicable, a referral to or requirement for
 19 counseling, mentoring, or other services for the student.

20 (F) If applicable, whether a parent is expected to attend
 21 the counseling, mentoring, or other services under
 22 clause (E) with the student.

23 (G) To the extent possible, the signature of the parent of
 24 the student agreeing to comply with the plan.

25 (4) A school shall offer additional counseling services to an
 26 absent student if the school determines that the student's
 27 absences are related to any of the following:

28 (A) The student's pregnancy.

29 (B) That the student is in foster care (as defined in
 30 IC 31-9-2-46.7).

31 (C) That the student is homeless.

32 (D) That the student has a severe or life threatening
 33 illness or related treatment.

34 **Sec. 5.** A school shall hold an attendance conference described
 35 in section 4(2) of this chapter not more than five (5) instructional
 36 days after the student's fifth absence described in section 1(2) of
 37 this chapter regardless of whether the parent of the student is able
 38 to attend the conference.

39 **SECTION 6.** [EFFECTIVE UPON PASSAGE] (a) The legislative
 40 council is urged to assign to the appropriate interim study
 41 committee the task of studying, during the 2024 legislative interim,
 42 the following:



- 1 **(1) Ways to encourage families to promote school attendance**
2 **and reduce absenteeism.**
3 **(2) Age appropriate consequences for a minor determined to**
4 **be a habitual truant (as defined in IC 20-18-2-6.5).**
5 **(3) The appropriate consequences for a parent, guardian, or**
6 **custodian of a minor determined to be a habitual truant (as**
7 **defined in IC 20-18-2-6.5).**
8 **(4) The impact of absenteeism on school funding.**
9 **(5) Ways to encourage schools to develop programs and**
10 **services to promote school attendance and reduce**
11 **absenteeism.**
12 **(b) This SECTION expires January 1, 2025.**
13 **SECTION 7. An emergency is declared for this act.**

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